09/830251

In The United States Patent & Trademark In The United States Receiving Office (RO/US) For International Applications Filed Under The Patent Cooperation Treaty

In Re: Application of

WERNICKE, Todd Michael et al.

International Application No.: PCT/US99/24938 International Filing Date: 22 October 1999

USSN: 09/830,251 Applicant Ref. No. 7816

> Applicants' Response to NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Assistant Commissioner for Patents Box PCT Washington, D.C. 20231

Dear Sir:

This supplies Applicants' response to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office (Form PCT/DO/EO/905) dated 08 May 2001. The period for response expired 08 July 2001. Applicants hereby requests a one month extension of time to respond under 37 CFR 1.136(a). The fees required under 37 CFR 1.17 for this extension should be charged to Deposit Account 16-2485.

FORM PCT/DO/EO/905 asserts, under Items 2 c) and d) that Applicant(s) are required to submit;

"Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and international filing date" and

"Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

Accompanying this response is a Declaration complying with the above-requirements. Please charge the requisite fees required under 37 CFR 1.492(e), and any additional fees for the necessary extension of time to Applicant(s) deposit account no. 16-2485. A copy of FORM PCT/DO/EO/905 is enclosed as required.

Respectfully submitted for the Applicants

By:

T. David Reed, Patent Agent Registration No. 32,931

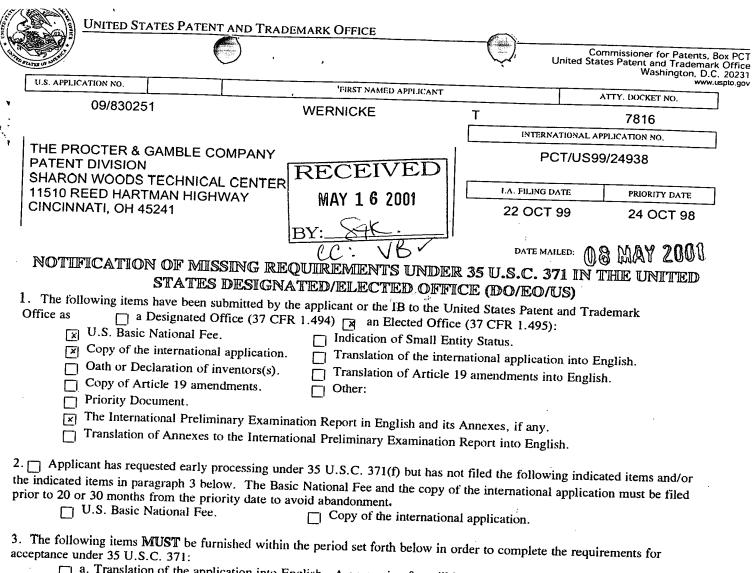
"Express Mail" mailing label number

Date of Deposit: -I hereby certify that this daper/fee i being deposited with the United

States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to BOX PCT, The Assistant Commissioner for Patents, Washington, DC 20231.

Virginia Byrd
Admi (istrator mailing application

10 July 2001 5299 Spring Grove Avenue Cincinnati, OH 45217 Phone: (513) 627-7025 FAX: (513) 627-6333



a. Translation of the application into English. A processing fee will be required if submitted

later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

्रष d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920,

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY realizable mith bether in any indument.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR

6. If box 3a or 3c is checked, a translation of the Annexes MUST be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date. 7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d))